

of celery. Misbranding of the blood purifier was alleged for the further reason that the following statements appearing on the bottle label, "Nurse Brand Blood Purifier is a concentrated Extract of well known roots and barks * * * Nurse Brand Blood Purifier combines the powerful tonic and alterative virtues of the following ingredients: Honduras Sarsaparilla, Dandelion Root, Burdock Root, Red Clover Tops, Potassium Iodide", were false and misleading since the product contained a laxative plant drug not mentioned among the ingredients on the label, and potassium iodide, a mineral drug. Misbranding of Exeme was alleged for the further reason that the statement on the carton, "The action of Exeme is to Sterilize the Affected Parts", was false and misleading. Misbranding of the alkaline elixir, eczema lotion, and diuretic elixir was alleged for the further reason that the packages failed to bear on the label a statement of the quantity or proportion of alcohol contained in the articles since in the case of the alkaline elixir no declaration of alcohol appeared; in the case of the eczema lotion the declaration was incorrect and was inconspicuously made; and in the case of the diuretic elixir the declaration was inconspicuously placed on the side panel of the label.

On November 9, 1934, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

24089. Misbranding of Oxidine. U. S. v. 141 Packages of Oxidine. Default decree of condemnation and destruction. (F. & D. no. 33532. Sample no. 11340-B.)

This case involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims in the labeling, and because it was represented to contain no harmful drugs, analysis having shown that it contained drugs that might be harmful.

On September 24, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 141 packages of Oxidine at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about August 25, 1934, by the Dr. W. A. Link Medicine Co., from Dallas, Tex., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Oxidine * * * Manufactured only by W. S. Kirby Co. Dallas, Texas."

Analysis showed that the article consisted essentially of cinchona alkaloids (4.1 grains per fluid ounce), an iron compound, a laxative plant drug extract, sugar, and water.

The article was alleged to be misbranded in that the statement on the carton in Spanish, "Does not contain harmful drugs" and the statement on the label, "Contains no * * * Harmful Drugs", were false and misleading. Misbranding was alleged for the further reason that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Carton, in Spanish) " * * * acts on the liver and is helpful to the organism"; (large circular) "For Health"; (small circular) " * * * has guarded the lives of thousands of men, women and children against disease. Take Oxidine for * * * Tired feeling Pains in the back Purifying your blood Flu and LaGrippe Regulating your liver Dull feeling in the head Sleeplessness Bad taste in your mouth Headaches and Neuralgia * * * an effective remedy for * * * La Grippe * * * and system builder. [testimonials in small circular] ' * * * I have never had the Flu. Now, just why I have never had the Flu I have not the slightest idea, unless it is because a bottle of Oxidine and myself have been consistent and inseparable companions for the past twenty-five years. * * * I take for granted that it is good for most everything; for headache, * * * for biliousness, * * * for La Grippe. I take Oxidine and enjoy most instant relief'; 'We can cheerfully recommend "Oxidine" to anyone who is suffering from * * * loss of blood. This is the finest blood medicine we ever saw.'"

On November 15, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*